



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

WG-15J

APR 16 2014

CERTIFIED MAIL 7009 1680 0000 7635 7791
RETURN RECEIPT REQUESTED

Harb Dhillon, Owner/Operator
Heritage Apartments
42356 Cherry Street
Novi, Michigan 48375

Re: Notice of Violation (NOV) for Heritage Apartments
Public Water System Identification Number: MI0003117
Docket Number: 1400014

Dear Mr. Dhillon:

This Notice of Violation (NOV) is issued pursuant to Section 1414(a)(1) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300g-3(a)(1). Our records indicate that Heritage Apartments has violated SDWA and the National Primary Drinking Water Regulations at: 40 C.F.R. Section 141.403(a) of the Ground Water Rule (GWR) by failing to address significant deficiencies identified at your public water system by the Michigan Department of Environmental Quality (MDEQ); 40 C.F.R. Section 141.86(d)(4) of the Lead and Copper Rule (LCR) by failing to meet monitoring requirements; and 40 C.F.R. Section 141.203(b) for failure to provide public notice of your failure to address the significant deficiencies at your water system.

With respect to the GWR, Heritage Apartments failed to complete corrective action or propose a schedule of compliance within 120 days of being notified by MDEQ of its water system's significant deficiencies. According to information provided by MDEQ, Heritage Apartments received notification that the following failures are considered significant deficiencies under the GWR because they demonstrate a continuing failure to properly operate the Heritage Apartments public water system: (1) post public notices for monitoring and reporting violations, (2) redistribute a revised consumer confidence report for calendar year 2012, (3) complete a bacteriological sampling plan, (4) complete an emergency response plan, and (5) introduce a written cross connection control program.

MDEQ mailed the significant deficiency notice to you on July 11, 2013, which requested that the deficiencies be corrected or that a written schedule of compliance be submitted to MDEQ by August 12, 2013. Heritage Apartments failed to submit a written schedule of compliance. Based

on information available to U.S. EPA, as of the date of this NOV, Heritage Apartments has neither completed corrective action nor worked with MDEQ to develop a State-approved corrective action plan and schedule. Therefore, MDEQ issued Heritage Apartments a violation notice dated November 12, 2013. This violation notice also required you to provide public notice of your failure to correct significant deficiencies at your water system within 30 days of receiving MDEQ's violation notice per 40 C.F.R. Section 141.203(b). Based on information available to U.S. EPA, as of the date of this NOV, Heritage Apartments has not posted a public notice of its failure to correct significant deficiencies at its water system.

In addition, Heritage Apartments failed to monitor for lead and copper as required under the LCR during the monitoring period between June and September of 2013.

On January 22, 2014, MDEQ requested that the U.S. EPA accept this matter for enforcement for violations of the SDWA and the National Primary Drinking Water Regulations.

This NOV is to primarily notify you of these violations. If Heritage Apartment has addressed any of the GWR significant deficiencies, posted a public notice of its failure to correct significant deficiencies at its water system or taken lead and copper samples in 2013, please send the applicable documents listed below:

1. Copy of any public notice(s) and certification(s) that you distributed the public notice(s) for monitoring and reporting violations;
2. Copy of the revised 2012 consumer confidence report (CCR) based on comments sent by MDEQ on June 11, 2013 along with certification that the revised 2012 CCR was distributed to consumers;
3. Signed bacteriological sampling plan that was updated during an MDEQ site visit;
4. Completed copy of the emergency response plan template sent to you by MDEQ;
5. Written cross connection control program;
6. Copy of signed and dated copy of a public notice that was issued for failure to correct significant deficiencies at its water system; and
7. Lead and Copper sample results.

The items above should be sent to both EPA and the MDEQ at the addresses below, within 10 days of receiving this NOV.

Tom Murphy U.S. EPA Region 5 Ground Water and Drinking Water Branch (WG-15J) 77 West Jackson Boulevard Chicago, Illinois 60604-3590 Phone: (312) 886-9546 Fax: (312) 697-2569	Sue Maul Michigan Department of Environmental Quality Office of Drinking Water and Municipal Assistance 525 West Allegan Street P.O. Box 30241 Lansing, Michigan 48909-7741 Phone: (517) 284-6536
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If any of the deficiencies noted in MDEQ's July 11, 2013 significant deficiency notice, and listed above, have not been corrected, action must be taken to correct the GWR significant deficiencies at your public water system as soon as possible. Also, if all required lead and copper samples were not collected in 2013, lead and copper monitoring must be repeated as soon as possible during the June to September 2014 monitoring period.

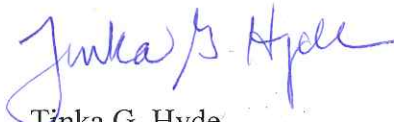
Within 30 days of the date of this letter, you must contact Tom Murphy of the U.S. EPA at the address or phone number above to discuss the actions you intend to take to address any significant deficiencies at your public water system that you have not resolved. At that time, we will establish an appropriate compliance schedule. We can also discuss with you any questions you may have regarding these violations and how to return to compliance.

Public notice is required every 3 months as long as the GWR treatment technique violation persists per 40 C.F.R. Sections 141.203(b) and 141.205. In addition to posting public notice, 40 C.F.R. Sections 141.31(d) and 141.201(c)(3) require that you submit a copy of the above public notice along with a certification statement to EPA and MDEQ certifying that all public notice requirements have been met within 10 days of posting notice. The enclosed public notice template that MDEQ provided you in its violation notice dated November 12, 2013 can be used for this purpose.

Enclosed with this letter is an information sheet entitled *U.S. EPA Small Business Resources* that may be helpful if you are a qualified small business.

If you have any questions about this Notice of Violation, please contact Tom Murphy at (312) 886-9546 or murphy.thomas@epa.gov.

Sincerely,



Tinka G. Hyde
Director, Water Division

Enclosures:

1. Public Notice Template
2. Sections of the Code of Federal Regulations applicable to this NOV
3. EPA Small Business Resources Information Sheet

cc: (via email)
Sue Maul, mauls@michigan.gov, MDEQ